

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**DARRELL KIMBROUGH, MSN, FNP-C ,  
MARY BENARD, MSN, FNP-C and  
TINA SPOHN-LEDFORD, MSN, FNP-C,**

**Plaintiffs.**

**vs.**

**NAEEM KHAN, M.D. and  
AMARILLO URGENT CARE, LLC,**

### Defendants.

**CIVIL NO. 2:18-CV-00082-Z-BR**

## DEFENDANTS' FIRST AMENDED WITNESS LIST

### A. Amarillo Urgent Care

**Naeem Khan, M.D.**

**Office Administrator – Cris Rico**

**Former Office Administrator - Melissa Chavez**

**Office Manager – Vicki Ellington**

**Nurse Practitioner – Nicole L. Slatten**

**Medical Assistants/Scribes – Maggie, Samantha Huerta, and Hope Catano**

The above are fact witnesses who will provide testimony regarding the facts of this case and Defendants' claims, defenses and damages. Cris Rico and Naeem Khan, M.D. have been deposed. The remaining witness have not been deposed.

Dr Kahn has been deposed individually and as the representative of Amarillo Urgent Care. Dr. Kahn will testify as to the business policies, record keeping and operations at AUC in particular its employment practices, employment related decisions and compensation. He will also testify as to the authenticity of Amarillo Urgent Care's business records.

Ms. Rico has been deposed. She will testify as to the business policies and operations at AUC in particular its employment practices, recordkeeping, employment related decisions and compensation. She will also testify as to the authenticity of Amarillo Urgent Care's business records.

Samantha Huerta has not been deposed. Ms. Huerta is a former employee of Defendants and worked as a scribe. She has personal knowledge of the clinic's practices regarding patient charting. She will testify that charting was done on a daily basis and was required to be completed prior to the end of the shift. She may testify regarding the charting done by Plaintiffs and other employees and the policies and procedures of the clinic.

Hope Catano has not been deposed. Ms. Catano is a former employee of Defendants and worked as a scribe. She has personal knowledge of the clinic's practices regarding patient charting. She will testify that charting was done on a daily basis and was required to be completed prior to the end of

the shift. She may testify regarding the charting done by Plaintiffs and other employees and the policies and procedures of the clinic.

Nicole Slatten has not been deposed. Ms. Slatten is a former employee of Defendants and worked as a scribe. She has personal knowledge of the clinic's practices regarding patient charting. She will testify that charting was done on a daily basis and was required to be completed prior to the end of the shift. She may testify regarding the charting done by Plaintiffs and other employees and the policies and procedures of the clinic.

**B. Darrell Kimbrough  
Mary Benard  
Tina Spohn-Ledford**

The above are fact witnesses and it is anticipated that Defendants will elicit testimony from Plaintiffs during cross examination.

Each Plaintiff has been deposed and they will testify at trial.

**C. Michael A. Warner  
The Warner Law Firm**

The above is a fact witness and a non-retained expert witness who may provide testimony regarding Plaintiff, Darrell Kimbrough's subsequent employment with Concentra and he may also offer testimony regarding Defendants' attorney's fees and expenses.

The witness has not been deposed, and it is possible he will testify at trial.

**D. Donita Crowder  
Tirra Kenney  
Agents and Employees  
Concentra Health Services, Inc.**

The above are fact witness who may provide testimony regarding the subsequent employment of Plaintiff, Darrell Kimbrough at Concentra facilities in Lubbock, Texas or Amarillo, Texas.

The witnesses have not been deposed and it is possible they may testify at trial.

**E. Casey S. Erick  
Cowles & Thompson, P.C.**

The above is a fact witness and a non-retained expert witnesses who may testify concerning the amount of attorneys' fees incurred in this matter and whether such fees are reasonable and necessary. They will testify concerning, among other things, the hourly rates of the professionals working on this case; the hours expended by each professional; the fees, expenses, or costs that were or will be incurred by the Plaintiffs and/or Defendants; and the customary and usual nature, reasonableness, and necessity of the fees, costs, and expenses that were or will be incurred by Plaintiffs and/or Defendants in this matter, including, if applicable, any appeal of the captioned case.

This witness has not been deposed and it is probable he will testify at trial.

**F. Diane Meehan, Ph.D., RN, FNP-BC, CLNC**

The above is an expert witness.

Diane Meehan is a Board Certified Family Nurse Practitioner with over 40 years clinical experience in hospitals, long term care facilities, home health, primary care and academia. She obtained her Bachelor of Science degree in Nursing from the Bellevue School of Nursing at Hunter College in New York City in 1979; Masters of Science degree in Nursing Education from Wagner College in Staten Island, NY in 1992; and a Ph.D. in nursing from Adelphi University in Garden City, NY in 2003. Her clinical work experience includes serving since 2001, as a Family Nurse Practitioner at Staten Island University Hospital/Norwell Health, a major tertiary referral center in New York City. From 2002–2006; 2008-2009, she was also an Assistant Professor of Nursing at Monmouth University in Long Branch, NJ. Currently, in addition to her clinical practice as a certified family nurse practitioner, she is an Adjunct Clinical Professor at Columbia University, and an Adjunct Assistant Professor at Hunter Bellevue School of Nursing both in New York City, where she teaches and trains nurse practitioner students. She has also served as a testifying and consulting expert for the New York State Education Department, Office of Professional Discipline.

This witness may be called upon to provide testimony concerning her observations, actions, opinions, or conclusions arising from or related to the reports and the information generated, including the underlying data which provides the basis for the report. Her opinions will be based on her education, training, experience and expertise within her respective professional fields.

The witness has not been deposed and will testify at trial.

**G. Leslie Johanson, MSN RN CPNP**

The above is an expert witness.

Leslie Johnson is an advanced practice registered nurse (APRN), unencumbered, licensed by the Texas Board of Nursing. She has a national certification as a mid-level pediatric provider. She has been practicing as an APRN (NP), mostly in primary care, for 7.5 years (RN 13 years). She recently began orienting to an urgent care role. She has a master's in nursing from the University of Texas, Medical Branch, and has experience with multiple electronic health record applications in multiple settings. She also has chart review experience, reviewing charts for almost all patient transfers into one of her practice sites, for close to 5 years.

This witness may be called upon to provide testimony concerning her observations, actions, opinions, or conclusions arising from or related to the reports and the information generated, including the underlying data which provides the basis for the report. Her opinions will be based on her education, training, experience and expertise within her respective professional fields.

The witness has not been deposed and will testify at trial.

Respectfully submitted,

COWLES & THOMPSON, PC

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 23, 2021, a copy of the foregoing was filed electronically using the Court's CM/ECF system and served in accordance with the Federal Rules of Civil Procedure. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept the electronic filing.

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By:   
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